

## **REMARKS**

### **I. INTRODUCTION**

Claims 1, 18, 20 and 23-27 are now pending in the present application. No new matter has been added. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

### **II. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN**

The Examiner has rejected claims 1, 18, 23 and 24 under 35 U.S.C. § 103(a) as obvious over the U.S. Patent No. 5,772,525 to Klein (hereinafter "Klein") in view of U.S. Patent No. 1,677,099 to Harness (hereinafter "Harness").

Klein discloses a golf putter comprising a putter head and an elongated shaft having an enlarged diameter gripping end. (*Klein*, Abstract). The enlarged diameter of the gripping end prevents use of excessive wrist action in the putting stroke. In addition, the shaft and the head are connected in such a way as to facilitate alignment of the putter with a golf ball since the primary longitudinal axis of the shaft passes through the center of the golf ball. (*Id.*). The head is connected to the shaft by means of a hosel 16. (*Id.*, col. 6, lines 64-66). The hosel 16 includes "an inverted frusto-conical portion 30 from which a spigot 32 projects defining an upwardly facing shoulder 34" is inserted into the hosel end length portion 20 of the shaft. (*Id.*, col. 7, lines 6-9).

Harness discloses a golf club, more particularly a handle that fits "snuggly" into a players hands and simultaneously provides a firm grip. (*Harness*, page 1, lines 3-6). The club consists of a shaft and a head, which is "fastened preferably by shrinking on" and "reinforced by

winding around it a coil of cat-gut.” (*Id.*, page 1, lines 24-33).

Independent claim 1 of the present invention recites a putter, comprising “a grip having an anatomically correct shape to promote proper grasping of the putter, a shaft having a first end and a second end, wherein the grip is attached to the first end of the shaft, a hosel attached to the second end of the shaft, a head attached to the hosel, the head having a striking face” and “*an alignment feature of the putter adapted to ensure correct assembly of the head onto the shaft.*”

It is respectfully submitted that neither Klein or Harness, alone or in combination, teach or disclose a putter comprising “an alignment feature of the putter adapted to ensure correct assembly of the head onto the shaft” as recited in claim 1. The Examiner states that Klein discloses an alignment feature by citing to Figs. 4-8, Col. 2, lines 52-57, and Col. 7, lines 19-49 of Klein. (08/24/04 Office Action, page 3). The Examiner misinterpreted the difference between the alignment feature as recited in claim 1 and the alignment as disclosed in Klein. Klein is directed to proper alignment of the golf putter with the ball, and not alignment of the components of the golf putter during assembly as recited in claim 1. Klein states that “the cooperative interrelationships between putter shafts, heads, and grips . . . facilitate alignment at impact of the sweet spot of the ball-striking surface with the ball.” (*Klein*, Col. 2, lines 52-57). Figs. 4-8 further illustrate this feature of Klein. Klein also teaches how to properly align the putter with the ball: the golfer must position the ball 36 so that it is contiguous to the ball-striking surface 24 of the head and the sighting edge surface 44 appears to be tangential to the innermost point 46 of the ball’s periphery. Once these steps are accomplished “the ball will be aligned with the sweet spot 38 of the striking surface 24.” (*Klein*, Col. 2, lines 41-42).

In contrast, the present invention is directed to proper alignment of the components of the golf-putter during assembly, namely the shaft and the head. The hosel 108 of the present invention includes an alignment feature 118. The alignment feature 118 includes a unidirectional shape of the bottom portion of the hosel 108, cooperating with a correspondingly shaped recess formed in head 104 (e.g., the bottom portion of hosel section 108 may have an oval

cross section, fitting in an oval opening of the head 104). (Specification, paragraph 37). The alignment feature ensures that the head 104 will be in the correct orientation relative to the shaft 102 after the components of the putter 100 are assembled. As described above, the shaft 102 and the grip 110 include various aids to help the golfer line up the head 104 with the ball during play. (*Id.*, paragraph 36). Thus, the alignment feature 118 assures that the putter 100 is assembled correctly in order for the other aids to be effective. (*Id.*, paragraph 36).

As discussed above, Klein does not teach an alignment feature in its golf putter that can ensure proper alignment of the putter components during assembly. The head disclosed in Klein is mounted to the shaft by means of a spigot connected to the head's hosel. (*Klein*, Col. 2, lines 41-42). The spigot is peg having a substantially round cross section, thus its shape cannot be used to align the head with the shaft because the head would rotate around the axis of the shaft due to the spigot's round cross-sectional shape. Harness suffers from the same deficiency – it also fails to disclose a golf putter having an alignment feature. Harness only suggests one method of fastening the head to the shaft, which is shrinking. (*Harness*, page 1, lines 24-33). Thus, in both of these references separate alignment devices such as a laser alignment device needs to be used during assembly to ensure the head is aligned correctly with the shaft. No such alignment device is needed for the present invention because of the alignment feature.

Thus, it is respectfully submitted that Klein and Harness, taken alone or in combination, neither teach or suggest a putter having “*an alignment feature of the putter adapted to ensure correct assembly of the head onto the shaft*” as recited in claim 1. Applicant respectfully submits that independent claim 1, as well as claim 18, which depends from claim 1, are allowable for at least the above stated reasons.

Applicant respectfully submits that independent claim 23 contains similar limitations as claim 1. In particular claim 23 recites a putter system for assisting a golfer in completing a putt, the system, comprising “*an alignment feature adapted to precisely align the*

*head with the shaft.*" Thus for at least the reasons described above with respect to claim 1, claim 23 is also allowable. Furthermore, it is respectfully submitted that claim 24 is allowable because it depends from claim 23.

The Examiner has also rejected claim 20 and 25-27 under 35 U.S.C. § 103(a) as obvious over Klein and Harness in view of U.S. Patent No. 3,075,768 to Karns (hereinafter "Karns") in further view of U.S. Patent No. 3,679,207 to Florian (hereinafter "Florian") and in further view of U.S. Patent No. 5,489,097 to Simmons (hereinafter "Simmons"). The Examiner cites these references in addition to Klein and Harness because they disclose varying systems and devices of establishing a proper weight balance in the golf club or putter. (08/24/2004 Office Action, page 4). However, Karns, Florian, and Simmons fail to cure the deficiencies of Klein and Harness because they do not teach an alignment feature of the putter used during assembly to properly align the putter's head and shaft. Thus, it is respectfully submitted that neither Klein, Harness, Karns, Florian, or Simmons, taken alone or in combination, anticipate or render obvious a putter having "*an alignment feature of the putter adapted to ensure correct assembly of the head onto the shaft*" as recited in claim 1. Therefore, it is respectfully submitted that claim 20 is allowable because it depends from claim 1. Since claim 23 contains similar limitations as claim 1, it is respectfully submitted that claims 25-27 are also allowable because they depend from claim 23.

**CONCLUSION**

In light of the foregoing, Applicant respectfully submits that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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